

Remarks

Claims 1-24 are pending. Claims 12-24 are withdrawn for being drawn to non-elected subject matter. Claims 1-11 are rejected. Claim 1 has been amended. Importantly, the claim amendments and additions should not be construed to be an acquiescence to any of the claim rejections. Rather, the amendments and additions to the claims are being made solely to expedite the prosecution of the above-identified application. The Applicants expressly reserve the right to further prosecute the same or similar claims in subsequent patent applications claiming the benefit of priority to the instant application. 35 USC § 120.

Elections/Restrictions

The Applicants acknowledge the Examiner's withdrawal of claims 12-24, as listed on the instant Office Action Summary (Form PTOL-326), not claims 12-14 as listed on page 3 of the instant Office Action.

Drawings

At the request of the Examiner, corrected drawings are provided.

Response to Claim Rejections based on 35 USC § 102(b)

Claims 1-6 and 8-11 are rejected as being anticipated by Keskilohko (US 6,266,921). The Examiner contends that Keskilohko discloses a tray comprising a plurality of open-ended cavities of uniform size and polygonal shape, having a plurality of ribs protruding into the cavity.

Solely in order to expedite prosecution of the instant application, the Applicants have amended claim 1 to require that the cavities be "non-tapered." Support for this amendment can be found on page 6 of the application: "[u]nlike other trays, the present invention relates to a non-tapered cavity." Since Keskilohko teaches polygonal shaped cavities, per the Examiner's statement, the amended claims do read on the teachings of Keskilohko. Accordingly, the Applicants respectfully request the withdrawal of the rejections of claims 1-6 and 8-11 based on 35 USC § 102(b).

Response to Claim Rejections based on 35 USC § 103(a)

Claims 1-11 are rejected as being unpatentable over Saarinen (US Des. 322,048) in view of Keskilohko. The Examiner contends that Saarinen discloses a tray comprising a plurality of open-ended cavities of uniform size and polygonal shape, having a plurality of ribs protruding into the cavity. Since both Keskilohko (as explained above) and Saarinen teach polygonal shaped cavities, per the Examiner's statement, the combination of Saarinen with Keskilohko does not teach all of the limitations of the amended claims. Accordingly, the Applicants respectfully request the withdrawal of the rejections of claims 1-11 based on 35 USC § 103(a).

Fees

The Applicants believe no fee is required in connection with the filing of this paper. Nevertheless, the Director is hereby authorized to charge any required fee to our Deposit Account, **06-1448**.

Conclusion

In view of the above amendments and remarks, it is believed that the pending claims are in condition for allowance. The Applicants respectfully request reconsideration and withdrawal of the pending rejections. The Applicants thank the Examiner for careful consideration of the present case. If a telephone conversation with Applicants' Attorney would expedite prosecution of the above-identified application, the Examiner is urged to contact the undersigned.

Respectfully submitted,
FOLEY HOAG LLP



Dana M. Gordon, Ph.D.
Registration No. 44,719
Attorney for Applicants

Patent Group
FOLEY HOAG LLP
155 Seaport Boulevard
Boston, MA 02210

(617) 832-1000
(617) 832-7000 (FAX)

Date: March 4, 2005

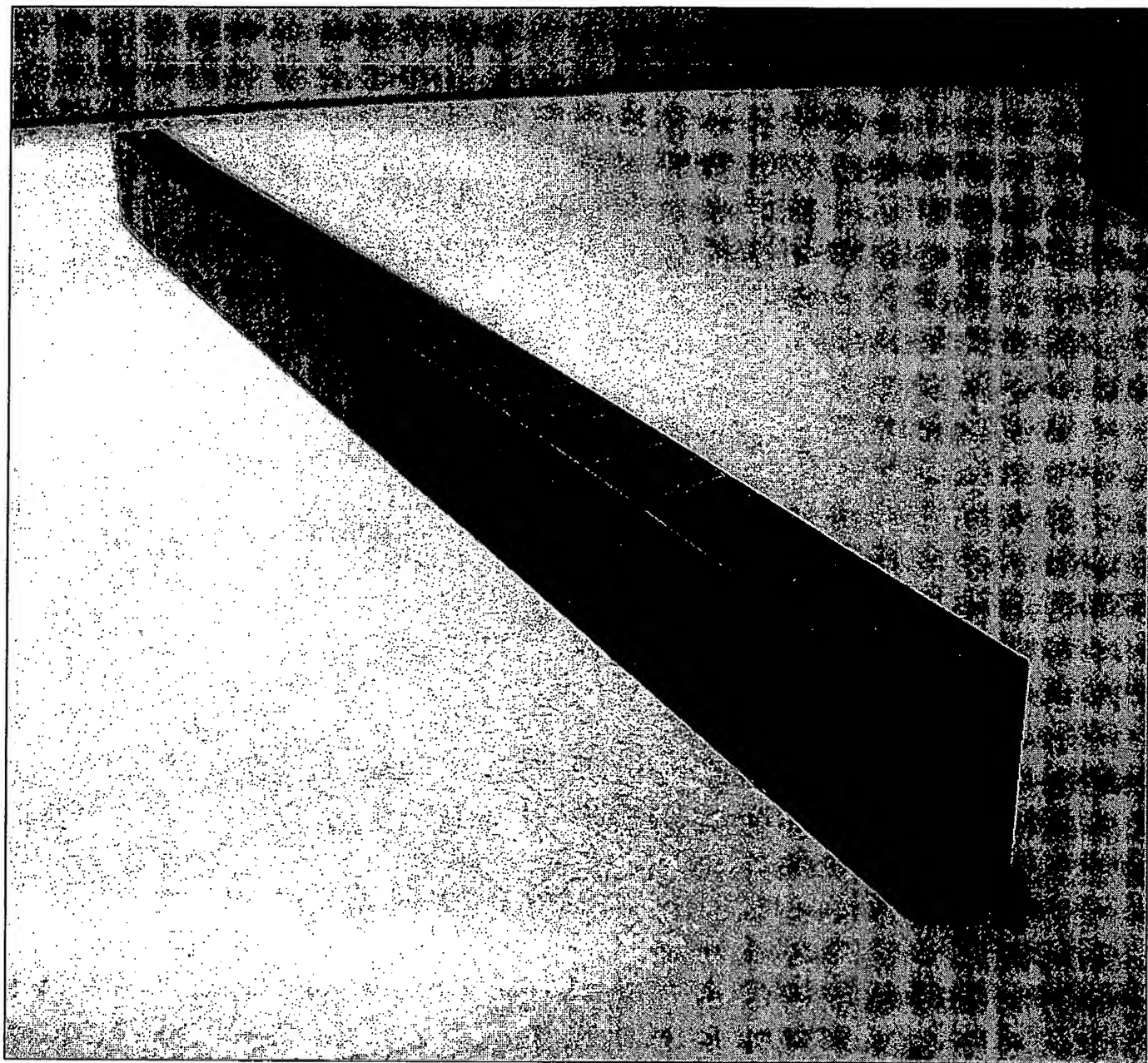


Figure 1

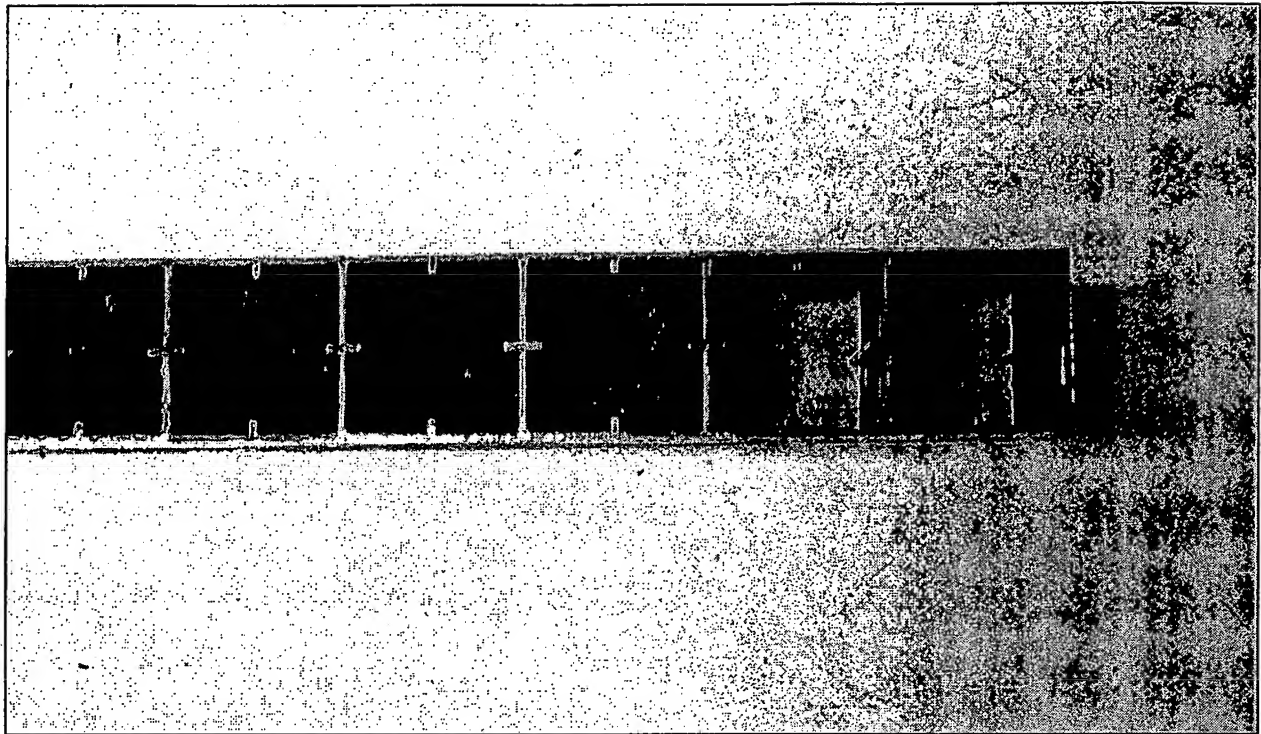


Figure 2

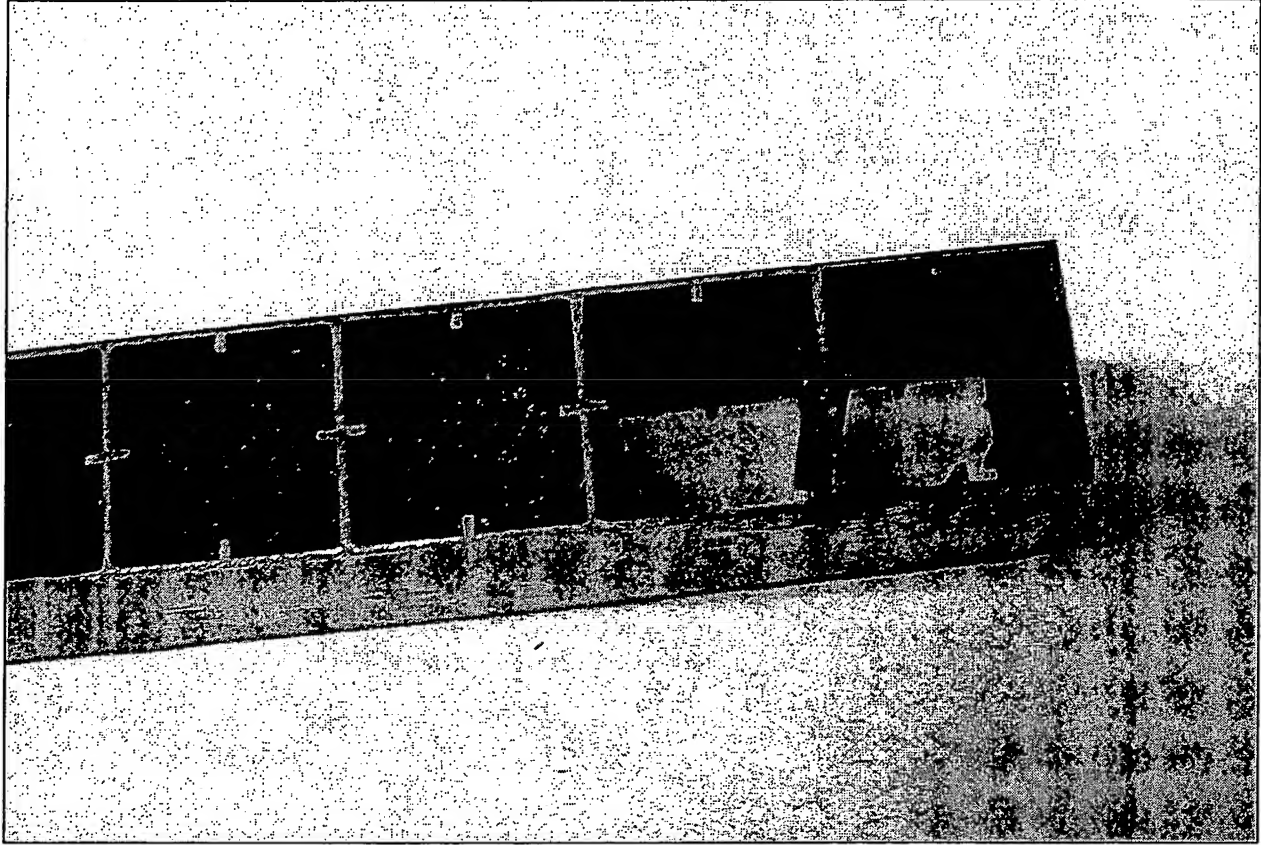


Figure 3

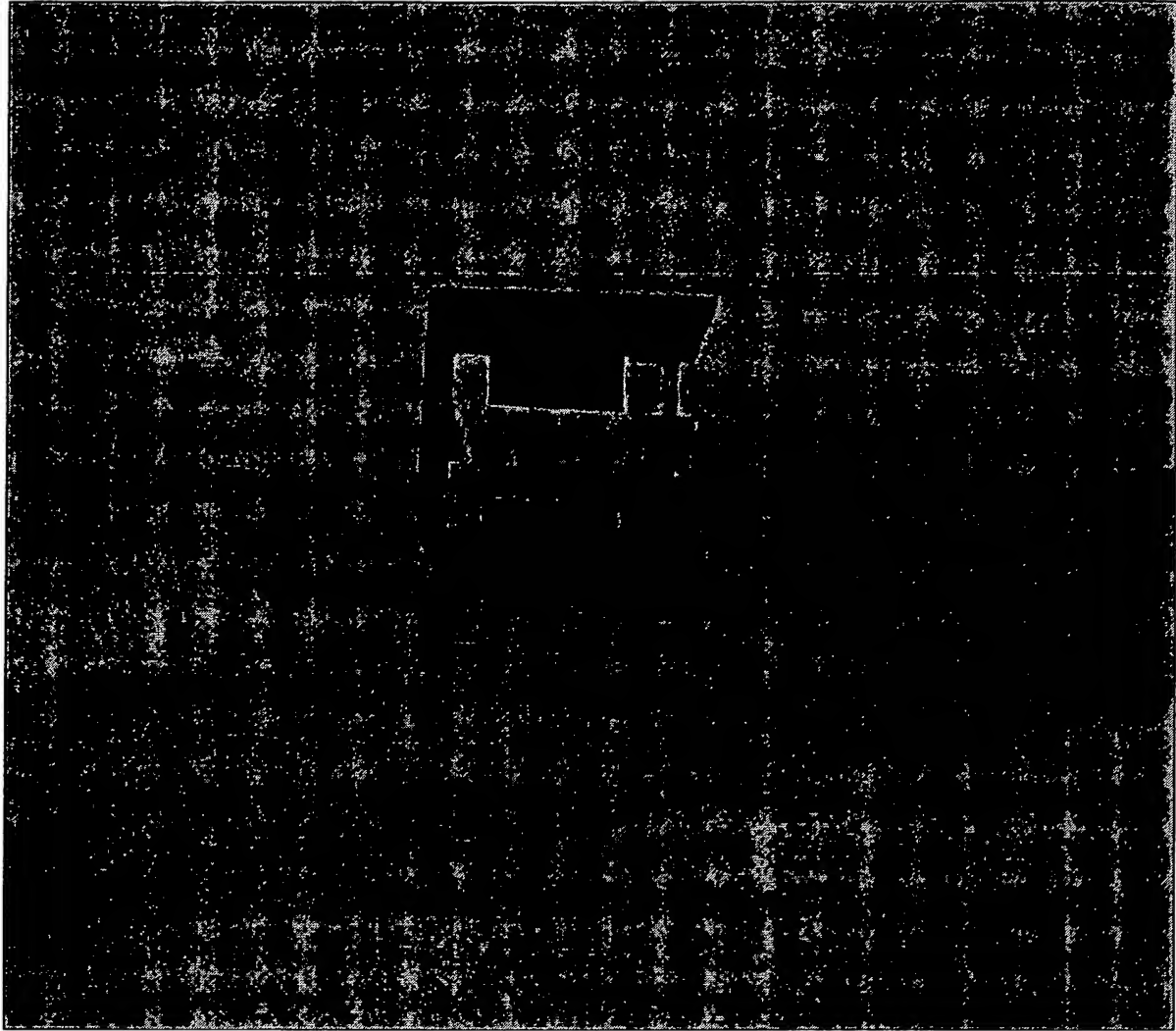


Figure 4

FIGURE 5

